

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

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GERALD WINFIELD, K56861,	)	
	)	
Petitioner,	)	
	)	
v.	)	No. 10 C 4878
	)	
	)	
GERARDO ACEVEDO, Warden,	)	
Hill Correctional Center,	)	The Honorable
	)	Sharon Johnson Coleman,
Respondent.	)	Judge Presiding.

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**Motion for Judgment to Be Set out in a Separate Document**

Under Federal Rules of Appellate Procedure 58(a) and (d), respondent moves this Court to set out in a separate document its judgment granting petitioner’s petition for writ of habeas corpus. *See* Doc. 89 (February 11, 2019 memorandum and order).

Rule 58(a) requires most judgments to be “set out in a separate document” — that is, in a document separate from the Court’s opinion. The preferred form for a judgment is Form AO 450 (“Judgment in a Civil Action”). *Hope v. United States*, 43 F.3d 1140, 1142 (7th Cir. 1994). The Seventh Circuit has instructed parties to request entry of judgment in a separate document when the court has not done so. *Perry v. Sheet Metal Workers’ Local No. 73 Pension Fund*, 585 F.3d 358, 362 (7th Cir. 2009).

Here, no judgment granting the petition has been set out in a separate document following the Court’s February 2019 opinion, and the Court’s March 2016

judgment is no longer in effect. *See* Doc. 80 (Seventh Circuit's September 13, 2017 final judgment) (reversing district court's March 2016 judgment and remanding for further proceedings).

### **Conclusion**

This Court should set out in a separate document the judgment granting petitioner's petition for writ of habeas corpus or direct the Clerk to do the same.

March 8, 2019

Respectfully submitted,

KWAME RAOUL  
Attorney General of Illinois

By: /s/ Brian McLeish  
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**CERTIFICATE OF SERVICE**

I certify that on March 8, 2019, I electronically filed respondent's **Motion for Judgment to Be Set out in a Separate Document** with the Clerk of the United States District Court for the Northern District of Illinois, Eastern Division, using the CM/ECF system, which will send notice to all parties.

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